

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Michael W. McCollough

(b) County of Residence of First Listed Plaintiff Anne Arundel
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Christopher P. Larsen, Esq., Georgelis Injury Law Firm,
P.C., 2168 Embassy Drive, Lancaster, PA 17603,
717-394-3004

DEFENDANTS

Joel M. Leonardo and Frank Papa Olympic National Express, Inc.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Sean T. Stadelman, Esq./Stephen A. Sheinen, Esq.,
Goldberg Segalla LLP, 1700 Market Street, Ste. 1418,
Philadelphia, PA 19103. 267-519-6800

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. Section 1332

Brief description of cause:
Motor vehicle accident involving alleged personal injuries

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$** _____
in excess of \$50,000 **CHECK YES only if demanded in complaint:**
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE

11/5/2021

SIGNATURE OF ATTORNEY OF RECORD

/s/ Stephen A. Sheinen, Esq.

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 7787 Arundel Mills Boulevard, Apartment 15, Hanover, Maryland 21076Address of Defendant: 33 North 30th Street, Camden, New Jersey 08105Place of Accident, Incident or Transaction: Columbia Borough, Lancaster County, Pennsylvania**RELATED CASE, IF ANY:**

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 11/05/2021 /s/ Stephen A. Sheinen 61993
Attorney-at-Law / Pro Se Plaintiff *Must sign here* *Attorney I.D. # (if applicable)*

CIVIL: (Place a ✓ in one category only)**A. Federal Question Cases:**

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
☐ 2. FELA
☐ 3. Jones Act-Personal Injury
☐ 4. Antitrust
☐ 5. Patent
☐ 6. Labor-Management Relations
☐ 7. Civil Rights
☐ 8. Habeas Corpus
☐ 9. Securities Act(s) Cases
☐ 10. Social Security Review Cases
☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
☐ 2. Airplane Personal Injury
☐ 3. Assault, Defamation
☐ 4. Marine Personal Injury
☒ 5. Motor Vehicle Personal Injury
☐ 6. Other Personal Injury (Please specify): _____
☐ 7. Products Liability
☐ 8. Products Liability – Asbestos
☐ 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:☐ Relief other than monetary damages is sought.

DATE: _____ Sign here if applicable _____
Attorney-at-Law / Pro Se Plaintiff *Attorney I.D. # (if applicable)*

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL McCOLLOUGH,)	CIVIL ACTION NO.
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
JOEL M. LEONARDO and)	
FRANK PAPA OLYMPIC NATIONAL)	
EXPRESS INC.)	
<i>Defendants.</i>)	
)	

NOTICE OF REMOVAL AND COPIES OF ALL PROCESS AND PLEADINGS

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendants Joel M. Leonardo and Frank Papa Olympic National Express, Inc. (“Defendants”), submit the following Notice of Removal from the Court of Common Pleas of the Commonwealth of Pennsylvania, County of Philadelphia, the Court in which the above-referenced matter is now pending, to the United States District Court for the Eastern District of Pennsylvania. In support of Defendants’ Notice of Removal, they state as follows:

1. This action allegedly arises out of a March 3, 2019 motor vehicle accident on Route 30 westbound in Columbia Borough, Lancaster County, Pennsylvania. (*See* Complaint, attached hereto as Exhibit “A.”)
2. Plaintiff, Michael McCollough, commenced this action on February 17, 2021 by filing a Praecipe for Writ of Summons in the Court of Common Pleas of the Commonwealth of Pennsylvania, County of Philadelphia, bearing docket number February Term 2021 No. 1636.
3. Plaintiff alleges that Defendant Leonardo lost control of his tractor-trailer, which struck Plaintiff’s vehicle “causing it to temporarily pin Plaintiff between his vehicle and the guardrail.” (*Id.* at ¶15).

4. Pursuant to 28 U.S.C. § 1446(a), Defendants attached copies of all process, pleadings and orders in the Philadelphia County Common Pleas Court case, served upon them. (*See* Praecipe for Writ of Summon and Affidavits of Service of Process, copies of which are attached hereto as Exhibit “B.”)

Timeliness of Removal

5. Defendants were served with the Complaint on November 4, 2021.

6. This Notice of Removal is being filed within thirty (30) days after service of Plaintiff’s Complaint, and is therefore timely pursuant to 28 U.S.C. § 1446(b).

Amount in Controversy

7. A defendant’s notice of removal need only include a “plausible allegation” that the amount in controversy exceeds the jurisdictional threshold. *Dart Cherokee Basin Operating Co., LLC v. Owens*, 135 S. Ct. 547, 554 (2014) (citing 28 U.S.C. § 1446(a)).

8. "The amount in controversy is not measured by the low end of an open-ended claim, but rather by a reasonable reading of the value of the rights being litigated." *Auto-Owners Ins. Co. v. Stevens & Ricci*, 835 F.3d 388, 401 (3d Cir. 2016)(quoting *Angus v. Shirley*, 989 F.2d 142, 146 (3d Cir. 1993)).

9. Plaintiff alleges that as a result of the accident, he suffered a comminuted femoral fracture and a degloving injury to his left shin. (*See* Exhibit “A” at ¶16).

10. The severity of Plaintiff’s injuries necessitated that he undergo an open reduction, internal fixation of his left leg and a “left leg complex wound closure.” (*See* Plaintiff’s Case Management Conference Memorandum, attached hereto as Exhibit “C.”)

11. Plaintiff also claims a “[p]ermanent loss of use of left leg.” (*Id.*)

12. Accordingly, based upon a reasonable reading of the rights being litigated, the amount in controversy exceeds \$75,000, exclusive of interest and costs.

Diversity of Citizenship

13. According to the Complaint, Plaintiff is a resident of Maryland residing at 7787 Arundel Mills Boulevard, Apartment 15, Hanover, Maryland 21076. (*See* Exhibit “A” at ¶ 1).

14. Plaintiff alleges that Defendant Leonardo is a resident of New Jersey residing at 33 North 30th Street, Camden, New Jersey 08105 (*Id.* at ¶2).

15. Plaintiff alleges that Frank Papa Olympic National Express, Inc. is a New Jersey company conducting business at 318 West Cala Breeze Way, Little Egg Harbor, New Jersey 08087. (*Id.* at ¶3).

16. Pursuant to 28 U.S.C. § 1332 (c)(1), full diversity exists among all parties in this action because Plaintiff is a citizen of Maryland and Defendants are citizens of a state other than Maryland.

17. Since no Defendant is a citizen of the forum state, removal is not precluded by 28 U.S.C. §1441(b)(2).

Plea for Removal

18. Insofar as the amount in controversy exceeds \$75,000.00 and full diversity exists between the parties, removal to this Court is proper pursuant to 28 U.S.C. § 1332(a) and 28 U.S.C. § 1441(a).

19. Written notice is being given to all parties and the Clerk of the Court of Common Pleas of the Commonwealth of Pennsylvania, County of Philadelphia, that this Notice of Removal is being filed with this Court.

WHEREFORE, Defendants, Joel Leonardo and Frank Papa Olympic National Express, Inc., respectfully request that the entire state court action under Docket No. February Term 2021, No. 1636, currently pending in the Court of Common Pleas of the Commonwealth of Pennsylvania, County of Philadelphia, be removed to this Court for all further proceedings.

GOLDBERG SEGALLA LLP

/s/ Sean T. Stadelman

SEAN T. STADELMAN, ESQUIRE

STEPHEN A. SHEINEN, ESQUIRE

Attorney ID Nos. 201636/61993

1700 Market Street, Suite 1418

Philadelphia, PA 19103-3907

(P): 267-519-6800; (F) 267-519-6801

sstadelman@goldbergsegalla.com

ssheinen@goldbergsegalla.com

Attorneys for Defendants

Joel M. Leonardo and

Frank Papa Olympic National Express, Inc.

Dated: 11/5/2021

CERTIFICATE OF SERVICE

I, Sean T. Stadelman, hereby certify that this 5th day of November 2021, a true and correct copy of the foregoing Notice of Removal was served via the Court's ECF System upon the following:

Christopher P. Larsen, Esquire
Georgelis Injury Law Firm, P.C.
2168 Embassy Drive
Lancaster, PA 17603

GOLDBERG SEGALLA LLP

Date: 11/5/2021

SEAN T. STADELMAN

Sean T. Stadelman, Esquire
Attorneys for Defendants
Joel M. Leonardo and
Frank Papa Olympic National
Express, Inc.

EXHIBIT “A”

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA**

Filed and Attested by the
Office of Judicial Records
04 NOV 2021 04:02 pm
M. RUSSO



MICHAEL W. McCOLLOUGH
7787 Arundel Mills Blvd., Apt. 515
Hanover, MD 21076

Plaintiff

vs.

February Term, 2021

JOEL M. LEONARDO
33 N. 30th Street
Camden, NJ 08105

and

FRANK PAPA OLYMPIC NATIONAL EXPRESS, INC.

318 W. Cala Breeze Way
Little Egg Harbor Township, NJ 08087

Defendants

No. 210201636

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association
Lawyer Referral
and Information Service
One Reading Center
Philadelphia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociacion De Licenciados
De Filadelfia
Servicio De Referencia E
Informacion Legal
One Reading Center
Filadelfia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

2. Defendant Joel M. Leonardo (hereinafter, referred to as “Defendant Leonardo”) is an adult individual believed to be presently residing at 33 North 30th Street, Camden, New Jersey 08105.

3. Defendant Frank Papa Olympic National Express, Inc. (hereinafter, referred to as “Defendant Frank Papa”) is a corporation registered in and authorized to conduct business at 318 W. Cala Breeze Way, Little Egg Harbor Township, NJ 08087.

4. At all times relevant and material to this action, Defendant Leonardo was employed by, was engaged in furthering the interests, activities, affairs and business of, was acting within the course and scope of his employment with, and was an agent and acting at the direction of, Defendant Frank Papa.

5. At all times relevant and material to this action, Defendant Leonardo acted/failed to act individually and/or in his capacity as an agent, workman, servant and/or employee of/for Defendant Frank Papa.

6. At all times relevant and material to this action, Defendant Frank Papa acted/failed to act on its own volition and/or vicariously, via the doctrine of respondeat superior, by and through its authorized agents, workers, representatives and/or employees, including Defendant Leonardo, within the course and scope of their agency, authority and/or employment.

JURISDICTION AND VENUE

7. Paragraphs 1 thru 6 of this Complaint are incorporated herein by reference as though fully set forth below.

8. The relevant and material events giving rise to this action occurred within the Commonwealth of Pennsylvania.

9. At all times relevant and material to this action, Defendant Frank Papa regularly conducted its/their business within Philadelphia County in the Commonwealth of Pennsylvania. Therefore, pursuant to Pa.R.C.P. No. 2179 (a)(2), the Court of Common Pleas of Philadelphia County is an appropriate venue to initiate this action.

STATEMENT OF FACTS

10. Paragraphs 1 thru 9 of this Complaint are incorporated herein by reference as though fully set forth below.

11. On or about Sunday, March 3, 2019, date, at approximately 7:55 pm, Plaintiff was operating a 2015 Hyundai Sonata traveling westbound on Route 30, a four-lane highway, with two eastbound and two westbound lanes, divided by a grass median with a guardrail.

12. Contemporaneous with the date, time and location described in Paragraph 11, as Plaintiff was traveling westbound, he lost control of his vehicle, leaving the roadway and coming to rest in the median along the center guardrail.

13. Plaintiff was able to open his driver's side door enough to exit and inspect his vehicle.

14. Contemporaneous with the date, time and location described in Paragraph 11, Defendant Leonardo was operating a Freightliner Cascadia tractor trailer traveling westbound on Route 30.

15. Contemporaneous with the date, time and location described in Paragraph 11, Defendant Leonardo lost control of the tractor trailer and struck Plaintiff's vehicle causing it to temporarily pin Plaintiff between his vehicle and the guardrail.

16. As a direct result of the collision, Plaintiff suffered a comminuted fracture of the distal most portion of the femur with the distal fracture being completely displaced and angulated

posteriorly, a laceration of the left anterior shin which consisted of some degloving both anteriorly and posteriorly, and acute blood loss anemia.

17. The collision and the consequences were reasonably foreseeable by Defendants when they engaged in the acts and failures to act described herein.

18. At all times relevant and material to this action, Defendants owed other motor vehicle operators and passengers, including Plaintiff, a duty to use and exercise reasonable and prudent care when driving and operating the tractor trailer on and around public and/or shared roadways.

19. Defendants breached and violated their duty to use and exercise reasonable and prudent care when driving and operating the tractor trailer on and around public and/or shared roadways through the acts and failures to act described herein, which were careless, negligent and reckless.

COUNT I

MICHAEL W. McCOLLOUGH VS. JOEL M. LEONARDO

NEGLIGENCE

20. Paragraphs 1 thru 19 of this Amended Complaint are incorporated herein by reference as though fully set forth below.

21. Defendant Leonardo's carelessness and negligence consisted of the acts, failures to act and information set forth above, as well as the following:

- a. Failing to operate the tractor trailer in a safe, proper and lawful manner under existing circumstances and conditions;
- b. Failing to maintain proper and adequate control of the tractor trailer;
- c. Failing to keep alert and observe road conditions;

- d. Failing to operate the tractor trailer at a safe and prudent speed;
- e. Failing to heed the presence and location of Plaintiff's vehicle;
- f. Failing to be properly attentive, cautious and watchful;
- g. Failing to keep alert and maintain a proper lookout for other motor vehicles on and/or around the roadway, including Plaintiff's vehicle;
- h. Failing to keep alert and observe road circumstances and conditions then existing;
- i. Failing to exercise due care under the circumstances;
- j. Violating various statutes of the Commonwealth of Pennsylvania, including section 3361 of the Pennsylvania Vehicle Code by failing to operate the tractor trailer at a safe speed, and section 3714 by operating in a careless manner;
- k. Violating Federal Motor Carrier Safety regulations, including section 392.14 by failing to exercise extreme caution under the weather conditions.

22. As a direct, factual and proximate cause and result of Defendant Leonardo's carelessness and negligence, Plaintiff suffered the multiple traumatic injuries noted in Paragraph 16 above.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount in excess of \$50,000.00, together with interest, costs of suit and delay damages.

COUNT II

**MICHAEL W. McCOLLOUGH VS. FRANK PAPA OLYMPIC
NATIONAL EXPRESS, INC.**

NEGLIGENCE

23. Paragraphs 1 thru 22 of this Amended Complaint are incorporated herein by reference as though fully set forth below.

24. Defendant Frank Papa's carelessness and negligence consisted of the acts, failures to act and information set forth above, as well as the following:

- a. Failing to operate the tractor trailer in a safe, proper and lawful manner under existing circumstances and conditions;
- b. Failing to maintain proper and adequate control of the tractor trailer;
- c. Failing to keep alert and observe road conditions;
- d. Failing to operate the tractor trailer at a safe and prudent speed;
- e. Failing to heed the presence and location of Plaintiff's vehicle;
- f. Failing to be properly attentive, cautious and watchful;
- g. Failing to keep alert and maintain a proper lookout for other motor vehicles on and/or around the roadway, including Plaintiff's vehicle;
- h. Failing to keep alert and observe road circumstances and conditions then existing;
- i. Failing to exercise due care under the circumstances;
- j. Violating various statutes of the Commonwealth of Pennsylvania, including section 3361 of the Pennsylvania Vehicle Code by failing to operate the tractor trailer at a safe speed, and section 3714 by operating in a careless manner;
- k. Violating Federal Motor Carrier Safety regulations, including section 392.14 by failing to exercise extreme caution under the weather conditions.

25. As a direct, factual and proximate cause and result of Defendant Frank Papa's carelessness and negligence, Plaintiff suffered the multiple traumatic injuries noted in Paragraph 16 above.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount in excess of \$50,000.00, together with interest, costs of suit and delay damages.

GEORGELIS INJURY LAW FIRM, P.C.

Dated: 11/4/21

By: 

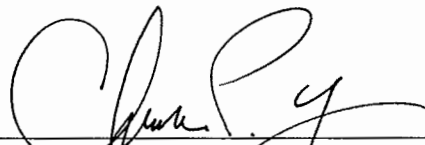
Christopher P. Larsen, Esquire
Attorney I.D. No.: 84166
2168 Embassy Drive
Lancaster, PA 17603
(717) 394-3004
Attorney for Plaintiff
chris@georgelislaw.com

VERIFICATION

I, CHRISTOPHER P. LARSEN, verify that I am counsel for the Plaintiff and that I am authorized to sign this Verification on behalf of the Plaintiff and I verify that the statements made in the foregoing document are true upon my personal knowledge or information and belief.

I understand that false statements herein are made subject to the statutory penalties relating to unsworn falsification to authorities.

Date: 11/4/21

By: 
Christopher P. Larsen, Esquire
Attorney I.D. No. 84166
Attorney for Plaintiff

CERTIFICATION

I, Christopher P. Larsen, Esquire, of **Georgelis Injury Law Firm, P.C.**, counsel for the Plaintiff in this matter, Michael W. McCollough, certify that the foregoing document complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: _____

11/4/21

By: _____


Christopher P. Larsen, Esquire
Attorney I.D. No.: 84166
2168 Embassy Drive
Lancaster, PA 17603
(717) 394-3004
Attorney for Plaintiff
Chris@GeorgelisLaw.com

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true and correct copy of the foregoing document upon the person(s) and in the manner indicated below, which service satisfies the requirements of Pa. R.C.P. 440.

SERVICE BY ELECTRONIC MAIL ADDRESSED AS FOLLOWS:

Sean T. Stadelman, Esquire
Goldberg Segalla
1700 Market Street, Suite 1418
Philadelphia, PA 19103
sstadelman@goldbergsegalla.com

Attorney for Defendants Joel M. Leonardo and Frank Papa
Olympic National Express, Inc.

Dated 11/4/21

GEORGELIS INJURY LAW FIRM, P.C.

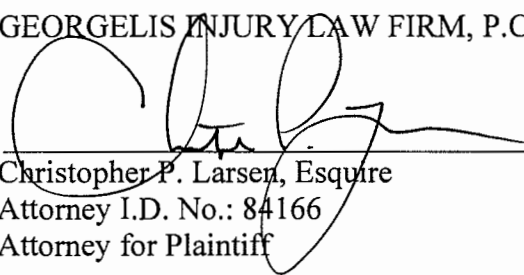
By: 
Christopher P. Larsen, Esquire
Attorney I.D. No.: 84166
Attorney for Plaintiff

Exhibit “B”

Commonwealth of Pennsylvania
COUNTY OF PHILADELPHIA

Filed and Attested by the
Office of Judicial Records
17 FEB 2021 04:37 pm
A. SILIGRINI

COURT OF COMMON PLEAS
Trial Division

MICHAEL W. MCCOLLOUGH

7787 Arundel Mills Blvd, Apt. 515

Hanover, MD 21076

TERM, 20 21

NO. _____

Plaintiff(s) Name(s) & Address(es)

VS

JOEL M. LEONARDO, 33 N. 30th St., Camden, NJ 08105 and

FRANK PAPA OLYMPIC NATIONAL EXPRESS, INC.

318 W. Cala Breeze Way, Little Egg Harbor Township,

NJ 08087

Defendant(s) Name(s) & Address(es)

PRAECIPE FOR WRIT OF SUMMONS

TO THE OFFICE OF JUDICIAL RECORDS:

Kindly issue a Writ of Summons in the above captioned civil action.

Date: 2-17-2021

GEORGELIS INJURY LAW FIRM, P.C.

By:

Signature of Attorney or Plaintiff(s)

Christopher P. Larsen

Print Name

2168 Embassy Drive, Lancaster, PA 17603

Address

717-394-3004

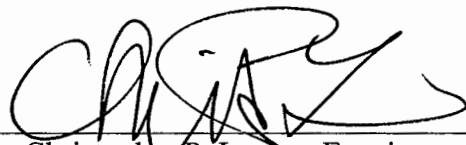
Phone Number

CERTIFICATION

I, Christopher P. Larsen, Esquire, of **Georgelis Injury Law Firm, P.C.**, counsel for the Plaintiff in this matter, Michael W. McCollough, certify that the foregoing document complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: 2-17-21

By: _____



Christopher P. Larsen, Esquire
Attorney I.D. No.: 84166
2168 Embassy Drive
Lancaster, PA 17603
(717) 394-3004
Attorney for Plaintiff
Chris@GeorgelisLaw.com

Attorney for Plaintiff,
Michael W. McCollough

COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY

v.

NO.: 2102032265

and

FRANK PAPA OLYMPIC NATIONAL
EXPRESS, INC.
318 W. Cala Breeze Way
Little Egg Harbor Township, NJ 08087
Defendants

AFFIDAVIT OF SERVICE

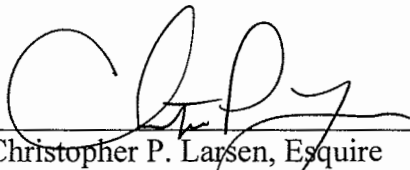
COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF LANCASTER)

Christopher P. Larsen, Esquire, of the Georgelis Injury Law Firm, P.C., being duly affirmed according to law, deposes and says that he is the attorney for the Plaintiff in the above case; that on the 23rd day of February, 2021, he did have cause to be sent to Frank Papa Olympic National Express, Inc., a Defendant in the above matter, at its place of business, 318 W. Cala Breeze Way, Little Egg Harbor Township, NJ, 08087, by United States Mail, Certified Mail Item

Number 7016 0340 0000 4629 7803, a true and correct copy of the Writ of Summons in the above case, said letter and Writ are attached hereto as **Exhibit A**; that deponent received at that time a receipt for Certified Mail Item Number 7016 0340 0000 4629 7803, which is attached hereto as **Exhibit B**, and made a part hereof; that thereafter there was returned to The Georgelis Injury Law Firm a Certified Mail Return Receipt bearing Item Number 7016 0340 0000 4629 7803, marked "Received" by Defendant showing a delivery date of February 25, 2021, which is attached hereto, marked **Exhibit C**, and made a part hereof; and that the purpose of this Affidavit is to show proper service of the Writ of Summons, which service satisfies the requirements of Pa. R.C.P. No. 400 et seq.

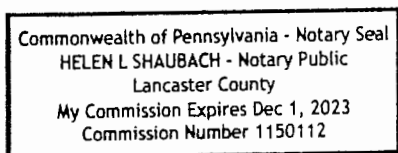
GEORGELIS INJURY LAW FIRM, P.C.

Dated: 4/20/21

By: 
 Christopher P. Larsen, Esquire
 Attorney I.D. No. 84166
 Attorney for Plaintiff
 Chris@GeorgelisLaw.com

Affirmed and subscribed to
 before me this 20th day of
 April, 2021.

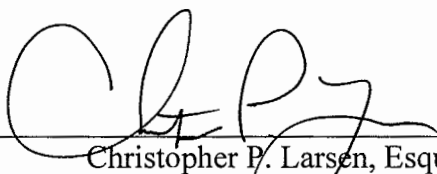

 Notary Public



CERTIFICATION

I, Christopher P. Larsen, Esquire, of **Georgelis Injury Law Firm, P.C.**, counsel for the Plaintiff in this matter, Michael W. McCollough, certify that the foregoing document complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: 4/20/21

By: 
Christopher P. Larsen, Esquire
Attorney I.D. No.: 84166
2168 Embassy Drive
Lancaster, PA 17603
(717) 394-3004
Attorney for Plaintiff
Chris@GeorgelisLaw.com

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true and correct copy of the foregoing document upon the person(s) and in the manner indicated below, which service satisfies the requirements of Pa. R.C.P. 440.

SERVICE BY ELECTRONIC MAIL ADDRESSED AS FOLLOWS:

Sean T. Stadelman, Esquire
Goldberg Segalla
1700 Market Street, Suite 1418
Philadelphia, PA 19103
sstadelman@goldbergsegalla.com

Attorneys for Defendants Joel M. Leonardo and Frank Papa
Olympic National Express, Inc.

GEORGELIS INJURY LAW FIRM, P.C.

Dated 4/20/21

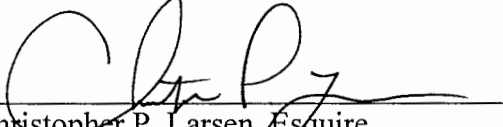
By: 
Christopher P. Larsen, Esquire
Attorney I.D. No.: 84166
Attorney for Plaintiff

EXHIBIT “A”

GEORGELIS

INJURY LAW FIRM, P.C.

MOTOR VEHICLE ACCIDENTS · WORKERS' COMPENSATION
WRONGFUL DEATH · SERIOUS PERSONAL INJURY

February 23, 2021

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Frank Papa Olympic National Express, Inc.
318 W. Cala Breeze Way
Little Egg Harbor Township, NJ 08087

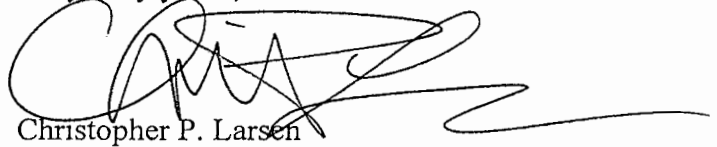
Re: Michael W. McCollough vs. Joel M. Leonardo and Frank Papa Olympic
National Express, Inc.
Case ID: 210201636– Court of Common Pleas of Philadelphia County

Dear Sir/Madam:

Enclosed is a Writ of Summons which is hereby served upon you as a Defendant in the above captioned action in the Court of Common Pleas of Philadelphia County, Commonwealth of Pennsylvania.

You are hereby served in accordance with Pennsylvania Rule of Civil Procedure 404. You should take these papers to a lawyer immediately to defend you in this action.

Very truly yours,



Christopher P. Larsen

GEORGELIS INJURY LAW FIRM, P.C.

CPL:hls
Enclosure

Anthony M. Georgelis, Esquire
Thomas J. Sabatino, Esquire
Christopher P. Larsen, Esquire

Tanya J. Georgelis, Office Manager
Helen L. Shaubach, Paralegal
Robbin L. Hessinger, Paralegal

2168 Embassy Drive
Lancaster, PA 17603
Telephone: 717.394.3004
Fax: 717.824.4970

GeorgelisLaw.com
info@GeorgelisLaw.com

Case ID: 210201636

First Judicial District of Pennsylvania
 COURT OF COMMON PLEAS OF PHILADELPHIA

and Attested by the
 Office of Judicial Records
 17 FEB 2021 04:37 pm
 A-SILIGRINT

MICHAEL W. McCOLLOUGH
 7787 Arundel Mills Blvd., Apt. 515
 Hanover, MD 21076

Plaintiff

vs.

February Term, 2021

JOEL M. LEONARDO
 33 N. 30th Street
 Camden, NJ 08105

and

FRANK PAPA OLYMPIC NATIONAL EXPRESS, INC.
 318 W. Cala Breeze Way
 Little Egg Harbor Township, NJ 08087

Defendants

No. 2102032265

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association
 Lawyer Referral
 and Information Service
 One Reading Center
 Philadelphia, Pennsylvania 19107
 (215) 238-6333
 TTY (215) 451-6197

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociacion De Licenciados
 De Filadelfia
 Servicio De Referencia E
 Informacion Legal
 One Reading Center
 Filadelfia, Pennsylvania 19107
 (215) 238-6333
 TTY (215) 451-6197

10-284

Case ID: 210201636

Case ID: 210201636

Commonwealth of Pennsylvania
COUNTY OF PHILADELPHIA

MICHAEL W. McCOLLOUGH

Plaintiff

vs.

JOEL M. LEONARDO and FRANK PAPA

OLYMPIC NATIONAL EXPRESS, INC.

Defendant

COURT OF COMMON

February Term, 2021

No. 210201636

Filed and Attested by the
Office of Judicial Records

17 FEB 2021 04:37 pm

A. S. ILIGRINI

To¹

Joel M. Leonardo

33 North 30th Street

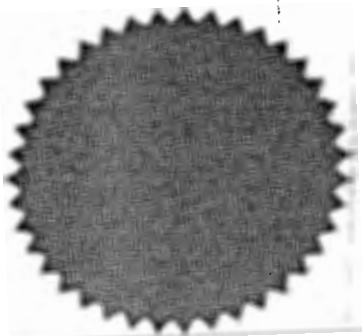
Camden, NJ 08105

Writ of Summons

You are notified that the Plaintiff²*Usted esta avisado que el demandante*

Michael W. McCollough

Has (have) commenced an action against you.

Ha (han) iniciado una accion en contra suya.

ERIC FEDER

Director, Office of Judicial Records

By: _____

Date: _____



10-208 (Rev. 6/14)

¹ Name(s) of Defendant(s)² Name(s) of Plaintiff(s)

Case ID: 210201636

Case ID: 210201636

Court of Common Pleas

February Term, 20 21

No. 210201636

Michael W. McCollough

Plaintiff

vs.

Joel M. Leonardo, et al.

Defendant

SUMMONS

Case ID: 210201636

Case ID: 210201636

EXHIBIT “B”

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee \$ _____ Extra Services & Fees (check box, add fee as appropriate) <input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____ Postage \$ _____ Total Postage and Fees \$ 6.90	Postmark Here
Sent To <i>Frank Papa Olympic National Express</i> Street and Apt. No., or PO Box No. _____ City, State, ZIP+4® _____ PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7016 0340 0000 4629 7803

EXHIBIT “C”

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>RK C9</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p><i>Frank Papa Olympic National Express</i> <i>318 West Pala Breeze Way</i> <i>Little Egg Harbor Township, NJ</i> <i>08087</i></p>		<p>B. Received by (Printed Name) <i>C19</i></p>	<p>C. Date of Delivery <i>25 Feb 21</i></p>
<p>2. Article Number (Transfer from service label) <i>7016 0340 0000 4629 7803</i></p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>9590 9402 1858 6104 6943 85</p>			
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>	

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

MICHAEL W. MCCOLLOUGH,

Plaintiff(s)

Filed and Attested by the
Office of Judicial Records
19 MAY 2021 11:50 am
S. RICE

V.

NO.: 210201636

JOEL M. LEONARDO, ET AL,

Defendant(s) – Respondent(s)

STATE OF NEW JERSEY
COUNTY OF BURLINGTON

ss.:

Jonathan Elzie, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of 18 years and not a party to this action.

On 5/18/2021 at 2:00 PM, I served a true copy of a **WRIT OF SUMMONS** upon **JOEL M. LEONARDO** at **33 N. 30TH STREET, CAMDEN, NJ 08105** in the manner indicated below:

Individual
[X]

By delivering thereat a true copy of each to said recipient personally; deponent knew the person so served to be the person described herein by deponent asking the person if he or she is the named Recipient and the person responding that he or she is in fact the person named in this action as Recipient. Recipient was identified by self-admission.

Approximate Description of Receipt	Female Sex	Hispanic Skin	Brown Hair Color	60s Age	Average Height	Average Weight	Brown Eyes Other

Sworn to before me this
19 day of May, 2021

Notary Public

Jonathan Elzie
P.O. BOX 25066
Newark, NJ 07102
800-637-1805

Alexander Vays, Esq.
Notary Public
State of New Jersey
New Jersey Attorney ID 008072014

WE SERVE NJ LLC., P.O. BOX 25066, NEWARK, NJ 07102

Case ID: 210201636

Exhibit “C”

Civil Administration

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION

MICHAEL W. MCCOLLOUGH :
vs. : No. 210201636
JOEL M. LEONARDO and :
FRANK PAPA OLYMPIC NATIONAL EXPRESS, :
INC. :

CASE MANAGEMENT CONFERENCE MEMORANDUM

Filing party: Michael W. McCollough By: Christopher P. Larsen, Esq.

Counsel's address and telephone number (IMPORTANT) _____
2168 Embassy Drive, Lancaster, PA 17603

Part A

(to be completed in personal injury cases)

1. Date of accident or occurrence: 3-3-2019
1(a). Age of Plaintiff(s): 48 MICHAEL W. MCCOLLOUGH
2. Most serious injuries sustained: Comminuted fracture of femur left leg; open reduction internal fixation with placement of rod and intramedullary nails; left leg complex wound closure

3. Is there any permanent injury claimed? ☒ Yes ☐ No
If yes, indicate the type of permanent injury: Permanent loss of use of left leg

4. Dates of medical treatment: 3/3/19 - 3/20/20
5. Is medical treatment continuing? ☐ Yes ☒ No
6. Has there been an inpatient hospitalization? ☒ Yes ☐ No

This form shall be presented to the Case Manager and copies served upon all parties at the Case Management Conference by counsel prepared to discuss its contents.

7. Has there been any surgery? ☒ Yes ☐ No

If yes, indicate the type of surgery: Open reduction internal fixation; rod placement; left femur

8. Approximate medical bills to date: \$ 97,972.66

Approximate medical bills recoverable in this case: \$ _____

9. Are there any existing liens (Workers Compensation, DPW, Medical, etc.)? ☐ Yes ☒ No

If yes, what type and approximate amount? _____

10. Time lost from work: _____

11. Approximate past lost wages: _____

12. Is there a claim for future lost earning capacity? ☐ Yes ☐ No

If yes, approximate future lost earning capacity: _____

13. Are there any related cases or claims pending? ☐ Yes ☒ No

If so, list caption(s) or other appropriate identifier: _____

14. Do you anticipate joining additional parties? ☐ Yes ☒ No

15. Plaintiff's factual position as to liability: Liability is clear. Defendant driver hit Plaintiff's vehicle pinning him to guardrail.

16. Defense factual position as to liability: Defendant to answer.

17. Defense position as to causation of injuries alleged: Defendant to answer.

18. Identify all applicable insurance coverage:

<i>Defendant</i>	<i>Insurance Carrier</i>	<i>Coverage Limits</i>
<u>Joel M. Leonardo</u>	<u>Old Republic Insurance Company</u>	<u>1,000,000</u>
<u>Frank Papa Olympic Naitonal Express, Inc.</u>	<u>Old Republic Insurance Company</u>	<u>1,000,000</u>
_____	_____	_____

Are there issues as to the applicability of the above insurance coverage:

☐ Yes ☒ No

19. Demand: \$ 1,000,000

Offer: \$ 150,000